

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Timothy Tak Chun Yip *et al.*  
Title: **SERUM BIOMARKERS IN LUNG CANCER**  
Appl. No.: 10/539,291  
Filing Date: 4/7/2006  
Examiner: Jerry Lin  
Art Unit: 1631  
Confirmation  
Number: 2464

**SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Office Action dated November 26, 2008, concerning the above-referenced patent application. Applicant believes no additional payment is required for filing this response. If this is incorrect, however, the Commissioner is authorized to make appropriate charges or credits to Deposit Account No. 19-0741 to provide exact payment.

In the Action, the examiner asks for a clarification of applicant's species election. For purposes of a complete response, applicant elects biomarker WM-447 as a species and notes that each of the elected claims reads thereon. Applicant continues to traverse the restriction, however, for the reasons noted in the Response submitted on April 30, 2008, which is hereby incorporated by reference.

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Applicant awaits receipt of the initial Office action on the merits. The examiner is invited to contact the undersigned directly, should he feel that weighing of any particular issue would advance the present case.

Respectfully submitted,

*Brian M. Cant.*

Date 4 December 2008

By Reg. No. 48,571

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